

Chapter 21A.30
DEVELOPMENT STANDARDS
ANIMALS, HOME OCCUPATION, HOME INDUSTRY

5008 SECTION 211. Ordinance 10870, Section 532, as amended, and K.C.C.

5009 21A.30.040 are each hereby amended to read as follows:

5010 **Animal regulations -- ~~((L))livestock - ~~((D))densities.~~~~** The raising,
5011 keeping, breeding or fee boarding of livestock are subject to K.C.C. chapter 11.04,
5012 Animal Control Regulations, and the following requirements:

5013 A. The minimum lot size on which large livestock may be kept shall be
5014 ~~((20,000))~~ twenty thousand square feet ~~((, provided that the))~~ . The amount of site
5015 area available for use by the livestock may be less than ~~((20,000))~~ twenty thousand
5016 square feet ~~((and provided further that))~~ if the portion of the total lot area used for
5017 confinement or grazing meets the requirements of this section.

5018 B.1. The maximum number of livestock shall be as follows:

5019 ~~((1.))~~ a. Commercial dairy farms ~~((in full compliance with a Washington~~
5020 ~~State Department of Ecology NPDES general or special use permit as consistent~~
5021 ~~with the permit requirements. Otherwise, K.C.C. 21A.30.040B.3 applies.~~
5022 ~~Commercial dairies shall have 5 years from the adoption of this section to either~~
5023 ~~comply with the state permit requirements or come into compliance with Ordinance~~
5024 ~~4468.))~~ consistent with chapter 90.64 RCW and a livestock management farm plan
5025 adopted in accordance with K.C.C.21A.30.045;

5026 ~~((2.))~~ b. Six resident animal units per gross acre in stables, barns and other
5027 livestock operations with covered confinement areas, ~~((provided that))~~ if no more
5028 than three animal units per gross acre are allowed to use uncovered grazing or
5029 confinement areas on a full time basis, and the standards in K.C.C. 21A.30.060 are

5030 met or a livestock management farm (~~((management))~~) plan is implemented and
 5031 maintained (~~((pursuant to Ordinance 11168; provided further that))~~) in accordance
 5032 with K.C.C. 21A.30.045. (~~((h))~~) Higher densities may be allowed subject to the
 5033 conditional use permit process to confirm compliance with the management
 5034 standards. This conditional use permit process is not required for existing
 5035 operations which operate with higher densities, (~~((provided the standards in~~
 5036 ~~Ordinance 11168 are met))~~) in accordance with K.C.C. 21A.30.060 or a livestock
 5037 management farm (~~((management))~~) plan is implemented for such operations(~~((.)~~);
 5038 ~~((3. (a) For all large livestock not covered by paragraph 1. or 2. above,))~~ c.
 5039 ~~((t))~~ Three animal units per gross acre of vegetated site area, provided that the
 5040 standards in K.C.C. 21A.30.060 are met or a livestock management farm
 5041 (~~((management))~~) plan is implemented and maintained (~~((pursuant to Ordinance~~
 5042 ~~11168;))~~) in accordance with K.C.C. 21A.30.045; and
 5043 ~~((Editor's Note: The following paragraph (a) (adopted by~~
 5044 ~~Ordinance 10870) was not deleted by Ordinance 11168 which adopted the~~
 5045 ~~immediately preceding paragraph (a)]~~
 5046 —(a) if a farm management plan is implemented and maintained as or, in
 5047 the alternative, all of the management standards of section K.C.C. 21A.30.060 are
 5048 met, three horse, cows or similarly sized animals per gross acre of total site area,
 5049 provided further that two ponies shall be counted as being equivalent to one horse
 5050 and that miniature horses shall be treated as small livestock subject to paragraph 4.
 5051 below.

5052 ~~((b) if paragraph (a) is not met,))~~ d. ((e)) One animal unit per two acres
 5053 of vegetated area, ~~((provided that))~~ not to exceed a total of five animal units, if the
 5054 standards for storage and handling of manure~~((, as set out))~~ in ~~((Section 3D of this~~
 5055 ~~section,))~~ K.C.C. 21A.30.060D are met~~((;))~~.

5056 ~~((4.))~~ 2. For purposes of ~~((these regulations))~~ this section, an animal unit
 5057 shall consist of one adult horse or bovine, two ponies, five small livestock~~((;))~~ or
 5058 equivalent thereof, ~~((e))~~ excluding sucklings~~((, provided that))~~. ~~((m))~~ Miniature
 5059 horses and feeder calves ~~((e))~~ up to one year of age~~((;))~~ shall be considered small
 5060 livestock.

5061 ~~((5. The 1990 sensitive areas ordinance exemption from the fencing~~
 5062 ~~requirements for the Snoqualmie river floodplain shall continue in effect, provided~~
 5063 ~~that farm management plans which minimize livestock impacts on the Snoqualmie~~
 5064 ~~river are implemented for properties in the floodplain.))~~ (Ord. 11168 § 2, 1993:
 5065 Ord. 11157 § 28, 1993: Ord. 10870 § 532, 1993).

5066 SECTION 212. Ordinance 11168 Section 3, as amended, and K.C.C.
 5067 21A.30.045 are each hereby amended to read as follows:

5068 **Animal regulations -- ~~((L))~~livestock management ~~((F))~~farm**
 5069 **~~((management))~~ plans.**

5070 A. To achieve the maximum density allowances using a livestock
 5071 management farm ~~((management (conservation)))~~ plan, the plan must be developed
 5072 according to the following criteria:

5073 1. The plan must be developed ~~((by the King Conservation District, unless~~
 5074 ~~the King County agriculture commission certifies other qualified persons or~~

5075 ~~companies to prepare such plans))~~ as part of a program authorized or approved by
5076 King County. Certified Washington state Department of Ecology nutrient
5077 management plans that are consistent with all of the criteria of this section may be
5078 substituted for livestock management farm plans for commercial dairy farms.
5079 Commercial dairy farms that do not have approved nutrient management plans shall
5080 meet the requirements of K.C.C. 21A.30.060;

5081 2. The plan shall require site-specific management measures for
5082 minimizing non((-))point pollution from agricultural activities and for managing
5083 wetland and aquatic areas including but not limited to:
5084 a. livestock watering(~~(, wetland and stream corridor management)~~);
5085 b. grazing and pasture management;
5086 c. confinement area management;
5087 d. manure management; and
5088 e. exclusion of animals from aquatic areas and their buffers and wetlands
5089 and their buffers with the exception of grazed wet meadows.

5090 3. The plan shall be implemented within a timeframe established in the
5091 plan and maintained such that non-point pollution attributable to livestock-keeping
5092 is minimized((-)); and

5093 4. A monitoring plan (~~(shall)~~) may be (~~(developed)~~) required as part of the
5094 livestock management farm (~~(management)~~) plan(~~(, and implemented)~~) to
5095 demonstrate no significant impact to water quality and salmonid fisheries habitat.
5096 Monitoring (~~(data)~~) results shall be available to the King County agriculture
5097 commission.

5098 B. Livestock management ~~((F))~~ farm ~~((management))~~ plans ~~((FMPs))~~
5099 shall, at a minimum:

5100 1. Generally seek to achieve a twenty-five-foot buffer of diverse, mature
5101 vegetation between grazing areas and the ordinary high water mark of all ~~((class 1~~
5102 ~~and 2 streams and))~~ type S and F aquatic areas ~~((including any naturally occurring~~
5103 ~~pond))~~ and the wetland edge of any ~~((class 1 or 2))~~ category I, II or III wetland ~~((on~~
5104 ~~the site))~~ with the exception of grazed wet meadows, using buffer averaging where
5105 necessary to accommodate existing structures. No buffer for ~~((class 1 or 2~~
5106 ~~streams))~~ type S or F waters shall be less than ten feet. The plan must include best
5107 management practices ~~((which))~~ that avoid having manure accumulate in or within
5108 ten feet of ~~((class 3 streams; provided that))~~ type N or O waters. ~~((f))~~ Forested lands
5109 being cleared for grazing areas shall comply with the ~~((sensitive areas ordinance~~
5110 ~~setbacks for class 1, 2 and 3 streams and class 1 and 2 wetlands.))~~ critical area
5111 buffers in K.C.C. chapter 21A.24;

5112 2. Assure that drainage ditches on the site do not channel animal waste
5113 to ~~((such streams))~~ aquatic areas and wetlands~~((:))~~;

5114 3. Achieve an additional twenty-foot buffer downslope of any
5115 confinement areas within two hundred feet of ~~((class 1 and 2 streams))~~ type S and
5116 F waters. This requirement may be waived for existing confinement areas on lots
5117 of two and one-half acres or less in size if

5118 a. A minimum buffer of twenty-five feet of diverse, mature vegetation
5119 is achieved;

5120 b. Manure within the confinement area is removed daily during the
5121 winter season ~~((t))~~ from October 15 to April 15~~((t))~~, and stored in accordance
5122 with K.C.C. 21A.30.060D; and

5123 c. Additional ~~((BMPs))~~ best management practices, as recommended
5124 by the ~~((KCD))~~ King Conservation District, are implemented and maintained~~((t))~~;
5125 and

5126 4. Include a schedule for implementation.

5127 C. A copy of the final plans shall be provided to the clerk of the council
5128 within sixty days of completion.

5129 D. The completed plan may be appealed to the ~~((zoning and subdivision))~~
5130 hearing examiner ~~((pursuant to the provisions of))~~ in accordance with K.C.C.
5131 20.24.080. The appeal must be filed within thirty days of being received by the
5132 clerk. Appeals may be filed only by the property owner or four members of the
5133 King County agriculture commission. Any plan not appealed shall constitute
5134 prima facie evidence of compliance with the regulatory provisions of K.C.C.
5135 9.12.035. (Ord. 14199 § 235, 2001: Ord. 11168 § 3, 1993).

5136 SECTION 213. Ordinance 10870, Section 534, as amended, and K.C.C.
5137 21A.30.060 are each hereby amended to read as follows:

5138 **Animal regulations -- ~~((L))~~livestock ~~((M))~~management standards.**

5139 Property owners with farms containing either large livestock at densities greater
5140 than ~~((t))~~ one animal unit per ~~((2))~~ two acres, ~~((and/))~~ or small livestock at
5141 densities greater than ~~((5))~~ five animals per acre, or both, are not required to
5142 follow a~~((n FMP))~~ livestock management farm plan if ~~((said))~~ the owners adhere

5143 to the ~~((following))~~ management standards in subsections A through H of this
 5144 section. This section shall apply as long as farm practices do not result in
 5145 violation of any federal, state or local water quality standards.

5146 A. ~~((Livestock Watering, Wetland and Stream Corridor Management.))~~

5147 To minimize livestock access to ~~((streams))~~ aquatic areas, property owners
 5148 shall utilize the following livestock watering options:

5149 1. The preferred option shall be a domestic water supply, stock watering
 5150 pond, roof runoff collection system, or approved pumped supply from the
 5151 ~~((stream))~~ aquatic areas so that livestock are not required to enter ~~((streams))~~
 5152 aquatic areas for their water supply.

5153 2. Livestock access to ~~((class 1 and 2 streams and))~~ type S and F waters,
 5154 including their buffers shall be limited to ~~((stream))~~ crossing and watering points
 5155 ~~((which))~~ that have been addressed by a crossing or watering point plan designed
 5156 to SCS/~~((KCD))~~ King Conservation District specifications which shall prevent
 5157 free access along the length of the ~~((streams))~~ aquatic areas.

5158 a. Fencing shall be used as necessary to prevent livestock access to
 5159 ~~((class 1 and 2 streams))~~ type S and F waters.

5160 b. Bridges may be used, in accordance with K.C.C. chapter 21A.24, in
 5161 lieu of ~~((stream))~~ crossings~~((, provided that p))~~. Piers and abutments shall not be
 5162 placed within the ordinary high water mark or top-of-bank, whichever is greater.
 5163 Bridges shall be designed to allow free flow of flood waters and shall not
 5164 diminish ((the)) flood carrying capacity ((of the stream; t)). These bridges may be
 5165 placed without a county building permit, ((provided that such)) but the permit

5166 waiver shall not constitute any assumption of liability by the county with regard
5167 to such bridge or its placement. The waiver of county building permit
5168 requirements does not constitute a waiver from other required agency permits.

5169 B. (~~Grazing and Pasture Management~~) 1. Existing grazing areas not
5170 addressed by K.C.C. chapter 21A.24 shall maintain a vegetative buffer of ~~((50))~~
5171 fifty feet from ~~((any naturally occurring pond,))~~ the wetland edge of a ~~((class 1 or~~
5172 2)) category I, II, or III wetland ~~((,))~~, except those wetlands meeting the definition
5173 of grazed wet meadows~~((,))~~, or the ordinary high water mark of a ~~((class 1 or 2~~
5174 stream)) type S or F water.

5175 2. Forested lands being cleared for grazing areas shall comply with ~~((the~~
5176 ~~sensitive areas ordinance setbacks for class 1, 2 and 3 streams, and class 1 and 2~~
5177 ~~wetlands))~~ critical area buffers set forth in K.C.C. chapter 21A.24.

5178 3. The grazing area buffer may be reduced to ~~((25))~~ twenty-five feet
5179 where a ~~((25))~~ twenty-five foot buffer of diverse, mature vegetation already
5180 exists. This buffer reduction may not be used when forested lands are being
5181 cleared for grazing areas.

5182 4. Fencing shall be used to establish and maintain the buffer unless the
5183 buffer is otherwise impenetrable to livestock.

5184 5. Fencing installed ~~((pursuant to))~~ in accordance with the 1990 ~~((SAO))~~
5185 Sensitive Area Ordinance prior to the effective date of the ordinance codified in
5186 this section at setbacks other than those specified in paragraphs B1 and B2 shall
5187 be deemed to constitute compliance with those requirements.

5188 6. Grazing areas within ~~((200))~~ two hundred feet of a ~~((class 1 or 2~~
5189 ~~stream))~~ type S or F water or category I, II, or III wetland shall not be plowed
5190 during the rainy season ~~((6))~~ from October 1 through April ~~((15))~~ 30.

5191 7. Grazing areas may extend to the property line, provided that ~~((class 1~~
5192 ~~or 2 streams and))~~ type S or F waters and category I, II, and III wetlands adjacent
5193 to the property line are buffered in accordance with ~~((K.C.C. 21A.30.060))~~
5194 subsections B.1, ~~((B))~~2 or ~~(())~~3 of this section.

5195 C. ~~((Confinement Area Management.))~~ 1. In addition to the buffers in
5196 subsection B.1 and ~~((B))~~2 ~~((above))~~ of this section, confinement areas located
5197 within ~~((200))~~ two hundred feet of any ~~((class 1 or 2 streams,))~~ type S or F waters
5198 or category I, II or III wetlands, ~~((or drainageways))~~ with the exception of grazed
5199 wet meadows shall:

5200 a. Have a ~~((20))~~ twenty-foot-wide vegetative filter strip downhill from
5201 the confinement area, consisting of heavy grasses or other ground cover with high
5202 stem density and ~~((which))~~ that may also include tree cover;

5203 b. Not be located in the buffer of any ~~((class 1 or 2 stream))~~ type S or F
5204 water or any wetland buffer ~~((area))~~ required by the ~~((sensitive))~~ critical areas
5205 ordinance in effect at the time the confinement area is built, or within ~~((50))~~ fifty
5206 feet of ~~((any naturally occurring pond,))~~ the wetland edge of any ~~((class 1 or 2))~~
5207 category I, II or III wetland or the ordinary high water mark of any ~~((class 1 or 2~~
5208 ~~stream))~~ type S or F water. Fencing shall be used to establish and maintain the
5209 buffer except where existing natural vegetation is sufficient to exclude livestock
5210 from the buffer. Existing confinement areas ~~((which))~~ that do not meet these

5211 requirements shall be modified as necessary to provide the buffers specified
 5212 ~~((herein))~~ in this section within five years of the effective date of ~~((the))~~ this
 5213 ordinance~~((codified in this section, provided further that))~~, though the footprint of
 5214 existing buildings need not be so modified; and

5215 c. Have roof drains of any buildings in the confinement area diverted
 5216 away from the confinement area.

5217 2. Confinement areas may extend to the property line, ~~((provided that~~
 5218 ~~streams))~~ if aquatic areas and wetlands adjacent to the property line are buffered
 5219 in accordance with ~~((K.C.C. 21A.30.))~~ this subsection.

5220 D. ~~((Manure Management.))~~ 1. Manure storage areas shall be managed as
 5221 follows:

5222 a. Surface flows and roof runoff shall be diverted away from manure
 5223 storage areas~~((:))~~;

5224 b. ~~((During the winter months (October 15 to April 15), a))~~ All manure
 5225 stockpiled within ((200)) two hundred feet uphill of ((any class 1 or 2 stream or))
 5226 the ordinary high water mark of a type S or F water or the edge of a category I, II
 5227 or III wetland shall either be covered in a manner that excludes precipitation and
 5228 allows free flow of air to minimize fire danger~~((:))~~ or~~((, in the alternative, shall))~~
 5229 be placed in an uncovered concrete bunker or manure lagoon or held for pickup in
 5230 a dumpster, vehicle or other facility designed to prevent leachate from reaching
 5231 any ~~((streams or any class 1 or 2 wetlands))~~ aquatic area or wetland. Concrete
 5232 bunkers shall be monitored quarterly for the first two years after installation, then
 5233 annually unless problems were identified in the first two years, in which case

5234 quarterly monitoring shall continue and appropriate adjustments shall be
5235 made((:));

5236 c. Manure shall not be stored in any aquatic area buffer or wetland
5237 buffer, with the exception of grazed or tilled wet meadows unless there is no other
5238 alternative on the property. Manure shall be stored in a location that avoids
5239 having runoff from the manure enter ((streams)) aquatic areas or wetlands.
5240 Manure piles shall not be closer than ((50)) one hundred feet uphill from:

5241 (1) any wetland edge((,)) excluding grazed or tilled wet meadows;
5242 (2) the ordinary high water mark of any ((stream,)) aquatic area; or
5243 (3) any ditch to which the topography would generally direct runoff
5244 from the manure((, nor within any stream buffer)).

5245 d. The location may be reduced to no closer than fifty feet if the
5246 manure pile is part of an active compost system that is located on an impervious
5247 surface to prevent contact with the soil and includes a leachate containment
5248 system.

5249 2. Manure shall be spread on fields only during the growing season, and
5250 not on saturated or frozen fields.

5251 ~~((E. Noxious Weeds. None of these standards shall preclude the removal~~
5252 ~~of noxious weeds, provided that such removal is achieved without the use of~~
5253 ~~chemicals or mechanical methods which would be damaging to stream banks or~~
5254 ~~other vegetation in the buffer.))~~

5255 ((F))E. For purposes of this section, "buffer maintenance" means allowing
5256 vegetation in the buffer ((which)) that provides shade for the ((stream)) aquatic

5257 area or acts as a filter for storm water entering the ~~((stream))~~ aquatic area, other
 5258 than noxious weeds, to grow to its mature height; ~~((provided that))~~ though grasses
 5259 in the buffer may be mowed but not grazed. Grading in the buffer is allowed only
 5260 for establishment of watering and crossing points, or for other activities permitted
 5261 ~~((pursuant to the sensitive areas ordinance))~~ in accordance with K.C.C. chapter
 5262 21A.24, with the appropriate permits.

5263 ~~((G))~~F. Properties ~~((which))~~ that have existing fencing already installed at
 5264 distances other than those specified in these standards, and for which livestock
 5265 management farm ~~((management))~~ plans have been developed based on the
 5266 existing fencing locations, shall be deemed to be in compliance with the fencing
 5267 requirements of these standards. Properties with or without a livestock
 5268 management farm plans that complied with the fencing requirements in effect
 5269 prior to the effective date of this ordinance shall have five years from the effective
 5270 date of this ordinance to meet the fencing requirements for aquatic areas that were
 5271 exempt from fencing in prior ordinances.

5272 ~~((H))~~G. Buffer areas shall not be subject to public access, use or
 5273 dedication by reason of the establishment of such buffers. (Ord. 12786 § 4, 1997:
 5274 Ord. 11168 § 4, 1993: Ord. 10870 § 534, 1993).